

## **IC 31-19-22**

### **Chapter 22. Release of Identifying Information**

#### **IC 31-19-22-1**

##### **Application of chapter; exception**

Sec. 1. This chapter applies to the release of identifying information. However, this chapter does not apply to the release of identifying information to an adult adoptee whose adoption is finalized after December 31, 1993.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-22-2**

##### **Requirements for release of identifying information**

Sec. 2. The state registrar, the division of family and children, a county office of family and children, a licensed child placing agency, a professional health care provider (as defined in IC 34-6-2-117), and a court shall release identifying information in the entity's possession only if:

(1) the information is requested by a person described in IC 31-19-18-2(a); and

(2) the following persons have submitted a written consent under IC 31-19-21 (or IC 31-3-4-27 before its repeal) to the state registrar that allows the release of identifying information to the person requesting the information:

(A) The adult adoptee.

(B) A birth parent.

*As added by P.L.1-1997, SEC.11. Amended by P.L.1-1998, SEC.161.*

#### **IC 31-19-22-3**

##### **Consent of birth parent; affidavit**

Sec. 3. The consent of a birth parent is not required for release of information under this chapter if an affidavit is submitted to the releasing agency that avers that each birth parent who is named on the adoptee's original birth certificate is deceased.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-22-4**

##### **Search of death certificates**

Sec. 4. Whenever an adoptee or a birth parent submits a written consent for release of identifying information under IC 31-19-21 (or IC 31-3-4-27 before its repeal), the state registrar may search the death certificates in the state registrar's possession regarding the related adoptee or a birth parent:

(1) who has not submitted a consent for the release of information under IC 31-19-21; and

(2) whose consent is necessary before identifying information may be released to the adoptee or birth parent who has submitted the written consent.

*As added by P.L.1-1997, SEC.11.*

**IC 31-19-22-5****Request by adoptee or birth parent for search of death records**

Sec. 5. An adoptee or a birth parent who submits a written request for the release of identifying information under IC 31-19-21 may request that the state registrar search the death certificates in the state registrar's possession dating back to any period specified by the adoptee or birth parent.

*As added by P.L.1-1997, SEC.11.*

**IC 31-19-22-6****Deceased nonconsenting adoptee or birth parent; release of identifying information**

Sec. 6. If, upon searching the death certificates under section 4 of this chapter, the state registrar finds that the adoptee or birth parent who has not yet submitted a written consent is deceased, the state registrar shall inform the related adoptee or birth parent who submitted the written consent under IC 31-19-21 (or IC 31-3-4-27 before its repeal), of the death and:

- (1) may not release identifying information if additional consent is required by this chapter; and
- (2) may release identifying information if additional consent is not required by this chapter.

*As added by P.L.1-1997, SEC.11.*

**IC 31-19-22-7****Request for contact of adoptee or birth parent**

Sec. 7. An adoptee or a birth parent who submits a written consent for the release of identifying information under IC 31-19-21 (or IC 31-3-4-27 before its repeal), may contact the:

- (1) attorney;
- (2) licensed child placing agency; or
- (3) county office of family and children;

who arranged the adoption to request that the attorney, agency, or county office of family and children contact the adoptee or birth parent whose consent is necessary before identifying information may be released under this chapter.

*As added by P.L.1-1997, SEC.11.*

**IC 31-19-22-8****Contact of adoptee or birth parent**

Sec. 8. An attorney, a licensed child placing agency, or a county office of family and children who contacts an adoptee or a birth parent upon a request under section 7 of this chapter may not disclose identifying information. However, the attorney, agency, or county office of family and children may inform the adoptee or the birth parent regarding the fact that an adoptee or a birth parent has consented to the release of identifying information under IC 31-19-21 (or IC 31-3-4-27 before its repeal). The attorney, licensed child placing agency, or county office of family and children may inquire as to whether the adoptee or birth parent, whose consent is still

needed before identifying information may be released, is interested in participating in the adoption registry under IC 31-19-18 through IC 31-19-21, this chapter, and IC 31-19-23 through IC 31-19-24.  
*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-22-9**

##### **Fees and expenses for contacting adoptee or birth parent**

Sec. 9. An attorney, a licensed child placing agency, or a county office of family and children may charge a reasonable fee for services performed or actual expenses incurred under section 8 of this chapter.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-22-10**

##### **Access to information by adoptee**

Sec. 10. This chapter does not prohibit an adoptee who is at least twenty-one (21) years of age from having access to identifying information as provided by IC 31-19-25.

*As added by P.L.1-1997, SEC.11.*

#### **IC 31-19-22-11**

##### **Fee for expenses of compliance with chapter**

Sec. 11. Licensed child placing agencies and professional health care providers may charge a reasonable fee for actual expenses incurred to comply with this chapter and IC 31-19-23.

*As added by P.L.1-1997, SEC.11.*